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EXTRAORDINARY

भाग II — खण्ड 2

PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill has been introduced in the Rajya Sabha on the 4th February, 2021:—

BILL NO. IV OF 2021

A Bill to amend the Jammu and Kashmir Reorganisation Act, 2019.

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Jammu and Kashmir Reorganisation (Amendment) Act, 2021. Short title and commencement.
- (2) It shall be deemed to have come into force on the 7th day of January, 2021.
2. In section 13 of the Jammu and Kashmir Reorganisation Act, 2019 (hereinafter referred to as the principal Act), after the words, figures and letter “in article 239A”, the words “or any other article containing reference to elected members of the Legislative Assembly of the State” shall be inserted. Amendment of section 13.

Amendment of
section 88.

3. In section 88 of the principal Act, for sub-sections (2) to (6), the following sub-sections shall be substituted, namely:—

“(2) The members of the Indian Administrative Service, Indian Police Service and Indian Forest Service for the existing cadre of Jammu and Kashmir, shall be borne and become part of the Arunachal Pradesh, Goa, Mizoram and Union territories cadre, and all future allocations of All India Services Officers for the Union territory of Jammu and Kashmir and Union territory of Ladakh shall be made to Arunachal Pradesh, Goa, Mizoram and Union territories cadre for which necessary modifications may be made in corresponding cadre allocation rules by the Central Government.

(3) The officers so borne or allocated on Arunachal Pradesh, Goa, Mizoram and Union territories cadre shall function in accordance with the rules framed by the Central Government.”.

Repeal and
savings.

4. (1) The Jammu and Kashmir Reorganisation (Amendment) Ordinance, 2021 is hereby repealed. Ord. 1 of 2021.

(2) Notwithstanding such repeal, anything done or any action taken under the Jammu and Kashmir Reorganisation Act, 2019 as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the said Act as amended by this Act. 34 of 2019.

STATEMENT OF OBJECTS AND REASONS

The Jammu and Kashmir Reorganisation Act, 2019 was enacted to provide for the reorganisation of the existing State of Jammu and Kashmir. Section 88 of the said Act provides that the members of the cadres of Indian Administrative Service, Indian Police Service and Indian Forest Service for the existing State of Jammu and Kashmir shall continue to function on the existing cadres. There is a huge deficiency of the officers of All India Services in the Union territory of Jammu and Kashmir. The developmental schemes, centrally sponsored schemes and other allied activities suffer due to non-availability of All India Officers in the existing cadres of the Jammu and Kashmir as such there is a requirement of merging it with Arunachal Pradesh, Goa, Mizoram, Union territories cadre so that the officers in this cadre can be posted in the Union territory of Jammu and Kashmir to meet out any deficiency to some extent.

2. In order to provide uniformity in the governance of all the Union territories and to further enhance efficiency in their administration, it is felt necessary to amend section 88 of the aforesaid Act so as to merge the existing cadre of Jammu and Kashmir with Arunachal Pradesh, Goa, Mizoram and Union territories (AGMUT) cadre in relation to the All India Services namely, Indian Administrative Service, Indian Police Service and Indian Forest Service.

3. For the purpose of bringing clarity to section 13, it is proposed to amend the said section so as to include therein any other article containing reference to elected members of the Legislative Assembly of the Union territory of Jammu and Kashmir.

4. The Jammu and Kashmir Reorganisation (Amendment) Bill, 2021 which seeks to replace the Jammu and Kashmir (Amendment) Ordinance, 2021 (Ord. 1 of 2021) provides for the following, namely:—

(i) to amend section 13 of the said Act so as to insert, after the words, figures and letter “in article 239A”, the words “or any other article containing reference to elected members of the Legislative Assembly of the State”; and

(ii) to amend section 88 of the said Act so as to substitute two new sub-sections for existing sub-sections (2) to (6) regarding provisions relating to All India Services.

5. The Bill seeks to replace the aforesaid Ordinance.

NEW DELHI;
The 29th January, 2021

AMIT SHAH.

DESH DEEPAK VERMA,
Secretary-General.